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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 172 OF 2007
IN
FAMILY COURT APPEAL NO.115 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Order	Court's or Judge's Order

Mr.Machindra Patil for the appellant.
Mr.N.B.Shah h/f.Ms.Sonia Miskin for the respondent.

CORAM : J.N.PATEL AND
A.A. SAYED, JJ.

DATE : 9TH OCTOBER, 2007.

P.C. :-

. This court has made repeated attempts to bring about reconciliation in the matter and an offer was also made from the wife's side that if the sum of Rs.10 lacs each is paid in lumpsum towards the maintenance of the daughters, they would

forego all their other claims by way of settlement. The learned counsel for the appellant submits that it is beyond the means of the appellant to pay a sum of Rs.20 lacs as his industrial unit is running in losses. Therefore, we find that whatever maintenance has been awarded by the Family Court for their two daughters will take care of their maintenance, out of which the most important aspect is their education which has become more expensive now a days and for rest of the things like food and shelter, the mother is already taking care of their children who are residing with her. Therefore, we are not inclined to grant any stay in the matter.

2. We make it clear that in case the appellant fails to pay

maintenance regularly as directed by this Court, the respondent can execute the order of maintenance through the Family Court. The Civil Application stands disposed of.

3. Parties are at liberty to move the court if there is any settlement between them, otherwise the appeal to be disposed of in due course.

(J.N.PATEL,J.)

(A.A. SAYED, J.)